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REMARKS

Applicants appreciate the time taken by the Examiner to carefully review Applicants' present application and for an Examiner's Interview on November 27, 2002. Applicants have carefully reviewed the Office Action mailed October 31, 2002. Claims 1-11, 13-16, 18-21 and 26-37 are pending in this Application. Claims 1-11, 13-16, 18-21 and 26-37 stand rejected by the Examiner under 35 U.S.C. §112 first paragraph.

To expedite allowance and further clarify the claimed embodiment, Applicants have amended Claims 1, 11, and 34. Accordingly, Applicants respectfully submit that, as amended, Claims 1, 11, and 34 are now fully allowable. Applicants submit that all claims pending in this application are fully allowable and respectfully request reconsideration and favorable action in this case.

Rejections under 35 U.S.C. § 112 first paragraph

Claims 1, 4-10, 11, 13-16, 18-21, and 26-37 are rejected under 35 U.S.C., first paragraph as containing subject matter that is not supported in the specification. The Examiner states that Claims 1, 11, 16 and 34 all contain newly added subject matter. Specifically, the Examiner states that the "interface operably coupled to the digital engine," the "interface associated with a communication network," a "low-power RF communication module operably coupled to a processor module" and a "processor module coupled to the communication module" all contain newly added subject matter. Applicants respectfully traverse.

CLAIM 1

Claim 1, as amended includes, in addition to other elements, **a graphical user interface operably coupled to the digital engine to provide available information to a user of a communication network and to receive an input from the user to identify a selected portion of the selectable information.**

Applicants respectfully submit that this element does not include newly added subject matter. The amended language of Claim 1 was recited in dependent Claims 2 and 3 within the application as originally filed. Moreover, Applicants submit that the specification

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provides more than sufficient disclosure to enable one skilled in the art to make and/or use the embodiment of Claim 1. (See, e.g., page 11, line 23 through page 12, line 18). Applicants provided on pages 11 and 12 of the specification disclose a detailed and enabling description of a user interface coupled to a digital engine. The user interface embodiment of pages 11 and 12 facilitates: (1) the presentation of available information to a user of a communication network; and (2) the receipt of an input from the user to identify a selected portion of the information.

Specifically, the specification recites that a "digital engine 101 may be used in association with an Internet website configured to provide access to selectable information." One of ordinary skill could create a website with selectable information that may be presented to a user within a user interface (e.g., an Internet browser) without undue experimentation. Further description for allowing one of ordinary skill in the art to provide such an interface may also be found on Page 25 lines 9 through 29.

CLAIM 11

Claim 11, as amended, includes the step – **presenting information associated with audio information within a graphical user interface associated with a communication network.**

Applicants respectfully submit that the element is not newly added subject matter as it was recited in dependent Claim 12 within the application as originally filed. Additionally, Applicants submit that the specification is provided in such a way as to enable one skilled in the art to make and/or use the invention. Page 11 line 23 through page 12 line 18 provide a detailed description of presenting information associated with audio information within a user interface associated with a communication network. In the specific example of pages 11 and 12, an "Internet website for displaying selectable audio information" is described. One of ordinary skill could create a website with selectable audio information that may be presented to a user within a user interface (e.g. an Internet browser) without undue experimentation. Further description for allowing one of ordinary skill in the art to provide such an interface may also be found on Page 25 lines 9 through 29.

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CLAIM 16

Claim 16 includes, in addition to other elements, — **a low-power RF communication module operably coupled to a processor module.**

Applicants respectfully submit that the element is not newly added subject matter as it was recited in dependent Claim 8 as originally filed. Claim 8 discloses a communication engine including a low-power microwave wireless link. Additionally, Applicants submit that the specification is provided in such a way as to enable one skilled in the art to make and/or use the invention. Page 21 line 25 through page 22 line 32 provide a detailed description of a low power RF communication module operably coupled to a processor. Specifically, electronic device 300 includes a communication module 301 coupled to a processor module 302 and is provided as a low-power communication module operable to proximally or locally communicate with an automobile stereo, home stereo, etc. Low-power RF communication may be provided via a Bluetooth link or through transmitting audio information over a specific frequency at low power.

One of ordinary skill in the art may provide a communication module coupled to a processor for communicating an audio signal and/or audio information over a selected frequency, such as 93.7 MHz or 2.4Ghz without undue experimentation.

CLAIM 34

Claim 34 as amended includes, in addition to other elements, -- **a processor module coupled to the communication module, the processor module operable to process the selected audio information to play the selected audio information.**

Applicants respectfully submit that the element is not newly added subject matter as it was recited in Claim 16 within the application as originally filed. Additionally, Applicants submit that the specification is provided in such a way as to enable one skilled in the art to make and/or use the invention. Page 20 line 1 through page 21 line 13 provides a detailed description of one embodiment of a processor module coupled to a communication module. Specifically, an electronic device 300 includes a communication module 301 coupled to a processor 302. One of ordinary skill could couple processor 302 to communication module

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301 without undue experimentation. Additionally, Page 21 lines 5 – 12 provide a detailed description of one embodiment of an electronic device 300 including a communication module 301 coupled to a processor 302 operable as an audio player configured to play digital representations of music. For example, electronic device 300 may include an MP3 player operable to process the audio information into an audio signal. One of ordinary skill could enable a processor to process audio information to play audio information using a player, such as an MP3 player. Accordingly, Applicants request the Examiner withdraw the rejection of Claim 34 and Claims 35-37 which depend from Claim 34.

The Examiner further states that the Applicants provide no description of any such interface that facilitates the transformation of the digital audio data stored in the digital engine into a wireless signal for consumption by a mobile user. Applicants respectfully submit that several descriptions are provided. For example, page 37 line 9 through page 38 line 25 describes one embodiment for determining a destination for selected audio information and formatting the information for communicating the information to a wireless electronic device that includes an audio player, such as an MP3 player operable to play or execute MP3 audio files. Additionally, page 13 line 15 through page 16 line 23 provides several embodiments for communicating audio information via a wireless signal for consumption by a mobile user. For example a communication engine 102 may include a conduit to interface information with a wireless communication network that configures the information into a format operable to be transmitted via the wireless communication. Depending on the type of destination for the information and type of communication, the information is formatted accordingly. For example, a wireless communication device may receive packets of information having a specific size and format. As such communication engine 102 could format the information into a desired specification as needed. Several different types of wireless communication networks may be used including GSM, Digital Satellite communication, SB, Radio bands, DRC, TDMA, CDMA , spread spectrum, etc. One of ordinary skill could, without undue experimentation, transform the digital audio data stored in a digital engine into a wireless signal using one or more of the above wireless communication network for communicating the information to a mobile user.

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Given that Claims 4-10 depend from Claim 1, Claims 13-15 depend from Claim 11, and Claims 18-21 and 23 depend from Claim 16, Applicants respectfully submit that Claims 4-10, 13-15, 18-21, 23 are allowable. As such, Applicants respectfully request that the Examiner withdraw the rejections and allow Claims 1, 4-10, 11, 13-15, 16, 18-21, and 23.

CONCLUSION

Applicants have made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicants respectfully request reconsideration of the rejection and allowance of Claims 1, 4-11, 13-16, 18-21, 23 and 26-37.

In addition, Applicants respectfully request that the Examiner reconsider the Final nature of the October 31, 2002 Office Action, as Applicants submit that the action should not have been final.

The attached pages are captioned "**Version with Markings to Show Changes Made.**" Applicants believe that no further fee is due.

RESPECTFULLY SUBMITTED,

White et al.

Date: December 2, 2002   By: _____

                                                Kevin R. Imes

Russell White   Reg. No. 44,795
10704 Redmond Rd.
Austin, Texas 78739
Telephone: (512) 301-5518

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS

Claims 1, 11 and 34 have been amended as follows:

1.   **(Twice Amended)** A system for communicating selected information to an electronic device, the system comprising:

a digital engine operable to maintain data associated with selectable audio information, the audio information comprising an audio file;

a communication engine communicatively coupled to the digital engine, the communication engine operable to initiate wireless communication of the data to the electronic device;

a[n] graphical user interface operably coupled to the digital engine to provide available information to a user of a communication network and to receive an input from the user identifying a selected portion of the selectable information; and

wherein the interface operates in a web browsing environment and the wireless communication operates outside the browsing environment.

11.   **(Twice Amended)** A method for communicating selected audio information to an electronic device, the method comprising:

maintaining data associated with the selected audio information using a digital engine; [and]

initiating wireless communication of the data to the electronic device[.];

presenting information associated with audio information within a[n] graphical user interface associated with a communication network;

receiving an input from a user identifying the selected information; and

receiving an input from a user identifying the electronic device.

34.   (Amend)   An electronic device for communicating selected audio information via wireless communication, the device comprising:

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

a high speed, low-power RF communication module operable to communicate about 2.4 GHz;

a storage medium operably coupled to the communication module, the storage medium operable to store the selected audio information; and

a processor module coupled to the communication module, the processor module operable to process the selected audio information to play the selected audio information.